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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. **MAILED**  
1940 DUKE STREET  
ALEXANDRIA VA 22314

MAR 15 2011

OFFICE OF PETITIONS

In re Application of	:	
Roget et al.	:	DECISION ON PETITION TO
Application Number: 10/533,950	:	WITHDRAW HOLDING OF
Filing Date: 05/04/2005	:	ABANDONMENT
Attorney Docket Number:	:	
271326US0PCT	:	

This is a decision on the "PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 U.S.C. §1.181(A)," filed on January 14, 2011, which is treated as a petition to withdraw the holding of abandonment under 37 CFR 1.181.

The petition is **GRANTED**.

A Notice of Abandonment was mailed on January 5, 2011, stating that the application was abandoned for failure to timely file a reply to the final Office action mailed on January 14, 2010.

Applicant asserts that a timely reply, in the form of a Notice of Appeal was filed.

A review of the record reveals that on January 14, 2010, a final Office action was mailed, setting a three (3)-month shortened statutory period for reply.

On June 14, 2010, a Notice of Appeal and a two (2)-month extension of time under 37 CFR 1.136(a) were filed.

On January, 14, 2011, a Request for Continued Examination (RCE) and submission under 37 CFR 1.114 were filed, along with a five (5)-month extension of time under 37 CFR 1.136(a).

As the notice of appeal filed on June 14, 2010, with a two (2)-month extension of time, was timely filed within the extendable period for reply to the final Office action mailed on January 14, 2010, there is no abandonment in fact.

The Office apologizes for any inconvenience to petitioners.  
The holding of abandonment is withdrawn. The Notice of  
Abandonment is vacated.

The application is referred to Technology Center Art Unit 1641  
for further processing.

Telephone inquiries concerning this matter may be directed to the  
undersigned at (571)272-3231.



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